IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:11 CV 323

ANDREW WALLACE,)	
Plaintiff)	
V)	ORDER
WELLS FARGO & COMPANY f/k/a WACHOVIA CORPORATION,)	
Defendant.)	

THIS MATTER is before the court pursuant to a review of the file in this matter. A review of the file shows that plaintiff filed his Complaint (#1) on July 5, 2011 and an Answer (#6) was filed to the Complaint by defendant on September 26, 2011. After September 26, 2011, there have been no filings in this matter.

LCvR 16.1(A) and (B) provide as follows:

LCvR 16.1 PRETRIAL CONFERENCES

- (A) Initial Attorney's Conference. As soon as is practicable, and in any event not later than fourteen (14) days from joinder of the issues (as defined in Section (D) below), the parties or their counsel shall confer as provided by Fed. R. Civ. P.26(f), and conduct an "Initial Attorney's Conference" ("IAC"). In addition, counsel shall also discuss at such conference consent to magistrate judge jurisdiction. See LCvR 73.1(C).
- (B) Deadline for Filing the Certification of Initial Attorney's Conference. Within five (5) days of the IAC, the parties shall complete and file the Certification of Initial Attorney's Conference ("CIAC"), which shall include a proposed discovery plan. The CIAC shall serve as a guideline for the Court in issuing a Scheduling Order as provided by Fed. R.Civ. P. 16(b). If the parties choose to stipulate out of, or object to, the mandatory initial disclosure procedure required by Fed. R. Civ. P. 26(a)(1), they must so indicate in the discovery plan.

The issues in this matter joined on September 26, 2011, the date of the filing of the Answer. As a result of the time limits set forth in LCvR 16.1, the Certification of

Initial Attorney's Conference should have been filed by October 17, 2011. As a

result, the court will order the parties to conduct the Initial Attorney's Conference and

file with the court the Certification of Initial Attorney's Conference as provided under

LCvR 16.1.

ORDER

IT IS, THEREFORE, ORDERED that the parties in this matter shall conduct

the Initial Attorney's Conference and file with the court a Certification of the Initial

Attorney's Conference as provided under LCvR 16.1 on or before **December 9, 2011.**

Signed: November 30, 2011

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Dennis L. Howell

United States Magistrate Judge

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